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IN CLERK'S OFFICE  
UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS  
2004 OCT 14 P 2:48

\_\_\_\_\_  
UNITED STATES OF AMERICA )  
Plaintiff )  
v. )  
LOI VAN NGUYEN )  
Defendant )  
\_\_\_\_\_

U.S. DISTRICT COURT  
DISTRICT OF MASS.  
CRIMINAL COMPLAINT  
CASE NO. 04-10086-RCL

ASSENTED TO MOTION TO CONTINUE  
DATE FOR CHANGE OF PLEA AND SENTENCING

NOW COMES the Defendant, Loi Van Nguyen, by and through undersigned Counsel, and respectfully requests an order of this Honorable Court continuing the Change of Plea and Sentencing Hearing date in the above-captioned action, currently scheduled for Monday, October 18, 2004 at 2:00 p.m. to Tuesday, November 16, 2004 or a date thereafter and as reasons therefore states as follows:

1. The Defendant has entered into a Plea Agreement with the government, dated March 23, 2004. The Plea Agreement in the above-captioned matter, calls for a potential downward departure pursuant to U.S.S.G. § 5K 1.1, however the government needs additional time to review the matter to determine whether such motion will be filed.

2. The additional time will allow the government an opportunity to review this matter and allow both parties to prepare for the Sentencing Hearing in this matter.

3. In addition, while incarcerated, the Defendant has been advised that he suffers from a medical condition, which may warrant a recommendation to a medical

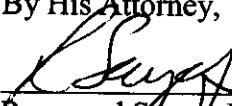
facility at the time of sentencing. The Defendant requests time to acquire and submit medical documentation in support of a recommendation for a medical facility at the time of sentencing.

4. The Defendant agrees that the time should be excluded under the Speedy Trial Act pursuant to 18 U.S.C § 3161(h)(8).

5. Counsel for the government, Assistant United States Attorney Laura J. Kaplan, assents to the within motion.

WHEREFORE, the Defendant requests that this Honorable Court allow this Assented to Motion to Continue.

Respectfully submitted  
Loi Van Ngyuen  
By His Attorney,

  
Raymond Sayeg, BBO #555437  
Law Offices of Raymond Sayeg  
Four Longfellow Place, 35<sup>th</sup> Floor  
Boston, MA 02114  
(617) 742-1184

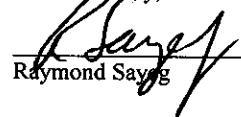
Dated: October 14, 2004

Assented to:  
United States of America  
By Its Attorney

  
Laura J. Kaplan, (by Parmer - RS)  
Assistant United States Attorney  
U.S. Courthouse  
1 Courthouse Way, Suite 9200  
Boston, MA 02210  
(617)748-3124

**CERTIFICATE OF SERVICE**

I, Raymond Sayeg, hereby certify that a true and exact copy of the foregoing Assented to Motion to Continue Date for Change of Plea and Sentencing was served this 17 day of October, 2004, by first class mail upon United States District Attorney, Laura J. Kaplan, U.S. Attorney's Office, 1 Courthouse Way, Suite 9200, Boston, MA 02210.

  
Raymond Sayeg